

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

AUBREY E. HENRY, et al.,

Plaintiffs,

v.

**CIVIL ACTION NO. 3:06-CV-33
(BAILEY)**

JEFFERSON COUNTY COMMISSION, et al.,

Defendants.

ORDER GRANTING MOTION FOR INVOCATION OF LEGISLATIVE STAY

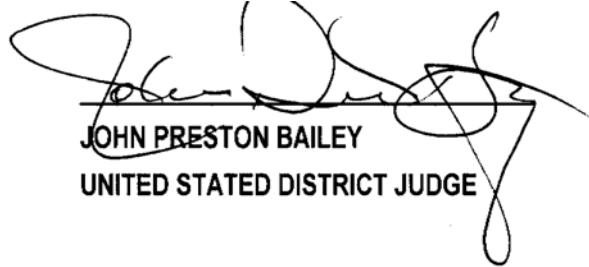
On this day, the above-styled matter came before the Court for consideration of the plaintiffs' Motion for Invocation of Legislative Stay [Doc. 163], filed on January 2, 2008. The plaintiffs request in their motion an automatic legislative stay provided under West Virginia Code § 4-1-17. Specifically, the plaintiffs request that the running of time for filing their opposition to Defendant Ledge Lowe Homeowners' Association, Miriam Wilson, and Richard Super's Motion for Summary Judgment [Doc. 162] be stayed for ninety-seven (97) days until April 7, 2008, and that plaintiffs be allowed fourteen days thereafter, until April 21, 2008, to file their response. After review of the above, this Court finds good cause to grant the motion. Accordingly, it is the opinion of this Court that plaintiffs' Motion for Invocation of Legislative Stay [Doc. 163] should be, and is, hereby **GRANTED**. Accordingly, the Motion for Summary Judgment [Doc. 162] is hereby **ORDERED STAYED** until April 7, 2008, and the plaintiffs shall submit their response by April 21, 2008.

It is so **ORDERED**.

The Clerk is hereby directed to transmit copies of this Order to counsel of record

herein.

DATED: January 3, 2008.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE